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McNamara Discusses War at CBS Libel Trial

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Robert S. McNamara, the former Secretary of Defense, broke a 16-year silence on the Vietnam War yesterday to testify at the CBS libel trial that, although he had major policy differences with Gen. William C. Westmoreland during the war, he did not believe the general had conspired to deceive him or President Johnson and could not have succeeded if he had tried.

Mr. McNamara, who served Presidents Kennedy and Johnson as Secretary of Defense from January 1961 to February 1968, told the jury in 30 minutes of direct testimony in Federal District Court in Manhattan that General Westmoreland was "a person of tremendous integrity" who "served his country well and whom I have the highest regard for."

In a much lengthier cross-examination, lawyers for CBS attempted to show that Mr. McNamara himself had misled Congress and the public about the course of the war and was now trying to justify his actions.

Mr. McNamara said the optimism about the war that he appeared to convey on Capitol Hill and at news conferences during the war reflected the thinking of senior military leaders and his own belief at the time that "the political track" toward negotiations with Hanoi was still open.

Believed War Could Not Be Won

Speaking in a husky tenor — with light glancing off the gold tip of a black fountain pen he cradled in his left hand — Mr. McNamara testified that, unlike General Westmoreland, the Joint Chiefs of Staff and such White House aides as Walt W. Rostow, he had come to the belief as early as 1965 or 1966 that the war could "not be won militarily."

"I say this without saying that I was right and they were wrong," Mr. McNamara said.

Mr. McNamara said the dispute over enemy strength in 1967 that has been the subject of much testimony in the nine-week-old trial was known to him then and represented nothing more than a difference of judgment — "an honest disagreement between people putting forth their best figures."

Moreover, he said, he gave "little weight" to specific figures for North Vietnamese or Vietcong troop strength because the numbers never "added up" logically and because he believed the enemy was composed of "a continuum from regular troops on the one hand to black pajama-clad youth and elderly on the other."

Mr. McNamara — who General Westmoreland had testified had a voracious appetite for statistics and who only yesterday referred to a sentence

as being "roughly 40 percent down the page" of a document he was holding — said he had "a constant skepticism of all figures."

"I lived with uncertainty," he recalled before a courtroom whose every seat was occupied.

Mr. McNamara said that even if General Westmoreland had sought to deceive his superiors about enemy strength, he could not have gotten around a "system of cross-checks" that, at Mr. McNamara's urging, provided for Central Intelligence Agency review of military data.

Mr. McNamara's increasing pessimism about the war in the mid 1960's has been known for some years since he left office. But until he agreed to testify for General Westmoreland, he has refused to discuss his views publicly.

At his deposition last March, he said he did not believe that a participant in a decision-making process, as he described himself, "should be the judge of his own actions or the validity of those actions."

The former Defense Secretary, who retired in 1981 after a 13-year tenure as president of the World Bank and is now a consultant, said at his deposition that his answers were being "extracted against my wishes." And at one point yesterday, he admonished David Boies, the principal attorney for CBS, against "putting words in my mouth."

McNamara Memo to Johnson

Mr. McNamara's gloomy feelings about the military side of the war — and his differences with General Westmoreland — were reflected in a 22-page declassified memorandum that Mr. McNamara sent President Johnson on May 19, 1967 and that was introduced into evidence yesterday by Mr. Boies.

In the memo, Mr. McNamara opposed a request by General Westmoreland that he be given 200,000 additional troops, to "reinforce success" and bring a resolution of the war within several years. The general, who was commander of American forces in Vietnam, was telling the President that his men were winning a "war of attrition."

But, in his own memo to the President, Mr. McNamara wrote that the war was "acquiring a momentum of its own that must be stopped. Dramatic increases in United States troop deploy-

ments, in attacks on the North, or in ground actions in Laos or Cambodia are not necessary and are not the answer. The enemy can absorb them or counter them, bogging us down further and risking even more serious escalation of the war."

Mr. McNamara told the President that political initiatives — coupled with a relatively modest increase in troop strength — could reduce "the danger of confrontation with China and the Soviet Union" and improve "our image in the eyes of international opinion."

Eventually, General Westmoreland received an extra 80,000 men.

In his \$120 million suit against CBS, the general contends he was defamed on a 1982 CBS Reports documentary, "The Uncounted Enemy: A Vietnam Deception." The network says the documentary was true.

The broadcast, produced by George Crile and narrated by Mike Wallace — both of whom are defendants in the suit — alleged a "conspiracy" at the "highest levels" of military intelligence to "suppress and alter critical intelligence on the enemy" in the year before the Tet offensive of January 1968.

The purpose of the "conspiracy," the documentary said, was to show progress in the war by minimizing North Vietnamese and Vietcong strength.

The broadcast said General Westmoreland imposed an "arbitrary ceiling" of 300,000 on reports of enemy size, partly by dropping the Vietcong's self-defense forces from the official military listing of enemy strength known as the order of battle. The general's command, it said, also "systematically blocked" reports of North Vietnamese infiltration into South Vietnam in the five months before the Tet attack.

Yesterday, Mr. McNamara testified that George Carver, the chief of Vietnamese affairs for the C.I.A., had told him in 1967 a dispute over enemy strength estimates between General Westmoreland's command and the C.I.A., which favored higher figures.

But Mr. McNamara seemed to be unfamiliar with the details of that dispute — including the element, as the CBS program stated, that some officers under General Westmoreland thought the official estimates were much lower than they should have been.

Producer Called McNamara

In June 1981, Mr. McNamara testified, Mr. Wallace called him at the World Bank and asked him to talk to Mr. Crile, who had been working on the CBS documentary for months.

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Mr. McNamara said that Mr. Crile told him that CBS had "overwhelming evidence" that General Westmoreland "had conspired to deceive" the Defense Secretary and the President "and that I would recognize the truth and force of it and that he was certain I would wish to appear on the program in support of CBS's contention."

But Mr. McNamara, who declined to appear, said he told the producer that the evidence was simply "illustrative of the controversies that existed then and had existed previously," over a variety of intelligence matters ranging from the selection of bombing targets to the prospects of a military victory "and in my experience were customary in such situations, and were nothing more than that."

Mr. McNamara said Mr. Crile kept repeating the phrase "faking the data" and added: "I kept repeating that I didn't believe the data had been faked. I didn't believe it had been suppressed. I didn't believe that General Westmoreland would try to conspire to deceive the President and me."

Mr. Crile, 39, who began testifying on Wednesday, is expected to return to the stand when court resumes on Monday.

During his cross-examination of Mr. McNamara, Mr. Boies showed the former Defense Secretary two pages of data, including figures concerning estimates of enemy strength, that he had attached to his May 19, 1967 memo to the President.

Mr. Boies suggested that the inclusion of the data — the accuracy of which has been brought into question during the testimony of earlier witnesses — demonstrated Mr. McNamara's real concern with the figures.

Mr. McNamara insisted yesterday that, in the 22 pages of the memo, he had not focused on that issue. But Mr. Boies noted that, on page 2 of the document, Mr. McNamara mentioned that the "VC/NVA order of battle is leveling off, and General Westmoreland believes that, as of March, we reached the 'cross-over point' — we began attriting more men than Hanoi can recruit or infiltrate each month."

"I stated that General Westmoreland and I had major differences of opinion," Mr. McNamara said. "And let me say that he may well have been right."